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_____	:	UNITED STATES BANKRUPTCY COURT
	:	DISTRICT OF NEW JERSEY
	:	NEWARK DIVISION
In re:	:	
	:	
ALLEN GORDON	:	Chapter 13
	:	
	:	Case No. 23-17499 (RG)
Debtor.	:	
_____	:	HEARING DATE:

**CERTIFICATION IN SUPPORT OF MOTION  
TO IMPOSE THE AUTOMATIC STAY**

I, ALLEN GORDON, of full age and having been duly sworn accordingly to law upon his oath, deposes and say:

1. I am the Debtor in the above-captioned matter and make this Certification based on my own personal knowledge.
2. I filed two previous Chapter 13 cases that have dismissed during the past year and I make this certification regarding my changes in circumstances so that the automatic stay can be imposed as to all creditors in this case.
3. Before explaining what happened in my previous two cases, I believe that it is important that I give a little context as to why my mortgage is in arrears and why I am in this position.
4. After taking out the mortgage due to US Bank, I became severely ill with a horrible case of diabetes. My condition got worse extremely quickly and almost overnight I

went from a functioning adult with a job, to being so sick that I could barely see or function. This resulted in me not being able to work and also resulted in considerable medical bills.

5. After over 6 years of suffering this debilitating disease, I finally found a cure for my condition. After starting my new treatment, I was finally able to regain my sight and rejoin society.

6. On October 11, 2022, I filed a Chapter 13 bankruptcy proceeding in the District of New Jersey (Newark) with the intent to cure the arrears on the mortgage pertaining to my home, 15 Mountain Lakes, Oakland, NJ 07436 (the "Properties").

7. In preparation of the filing of this case, I sought the legal guidance of an attorney. After discussing my situation, it was suggested that I file for Ch. 13 and propose a Ch. 13 plan wherein I would cure the mortgage arrears due and owing to U.S Bank Trust National Association ("US Bank"). My case and plan were filed and US Bank filed an objection to same stating that the arrears on the Property totaled almost \$880,000.00 and that my plan only had approximately \$280,000 being paid to the mortgage arrears.

8. Without being made aware that the case was going to be dismissed because of the objection, my case was dismissed on December 21, 2022.

9. I was extremely disgruntled that my case was dismissed without me being made aware of same, and as such, my attorney filed a second Bankruptcy on January 18, 2023. Despite filing the petition, my attorney never informed me that as I had a case dismissed in the last year, the automatic stay in this new case would only last 30 days.

10. Additionally, the attorney filed almost the exact same plan as in the first case, knowing that it would not be confirmable. He once again also did not deal with the objection filed by US Bank or the Chapter 13 Trustee. The case was dismissed on March 15, 2023 once

again without my attorney filing a single modified plan or opposing the objections filed by US Bank or the Chapter 13 Trustee.

11. My attorney never once discussed the possibility of entering into the Loss Mitigation program and seeking a loan modification. It was never even mentioned that I had the option to try and do same. Instead, I was told that filing the same exact plan would be the best course of action.

12. After the second case was dismissed, I sought a second opinion on the bankruptcy process as I began to think that I was not receiving competent counsel. I met with an attorney who does considerable bankruptcy work in the Newark Vicinage and after reviewing my case, was informed that I should have been told about the loss mitigation program, the potential to seek a loan modification and that were oddities in my second case that were very strange, i.e. the filing of the same exact plan despite same obviously being unfeasible and the failure to file the motion to extend the automatic stay.

13. That attorney had a scheduling conflict so I was referred to Norgaard O'Boyle & Hannon.

14. It is also worth noting that I am in a considerably better financial position as compared to by two previous cases. I recently started running my own business with my wife wherein we are selling the very treatment which cured my severe illness. We are currently making approximately \$15,000 to \$20,000 a month from the operation of this business. I am also receiving approximately \$5,000-\$6,000 a month in royalties.

15. This Chapter 13 case has been filed in good faith. I should have the opportunity to utilize the loss mitigation program and seek a loan modification. If given a loan modification, I will be able to repay all of my creditors 100 cents on the dollar through this case.

16. Additionally, there is potential equity in my residence that I should be able to preserve. I believe the market value of my residence is \$1,200,000. If I lose the equity in my residence, it would not only be a great loss to myself but also to my creditors.

17. I additionally understand the need to make payments to US Bank while going through this case. I will begin making normal monthly payments to US Bank, starting this month, until I am able to resolve the matter, through either a modification, refinance or sale.

18. I have experienced a substantial change in my personal affairs from the last time that I filed Ch 13. I have experienced an uptick in my business and now have counsel I believe can competently represent me in this case.

19. I have not incurred any extra debts since my last case was filed and my creditor's were not affected by my previous filing and dismissal.

20. Additionally, I am filing this petition to save my home and pay my creditors in full, and believe that same is only achievable through this Chapter 13.

21. Based on the above, it is respectfully requested that I be given an opportunity to save the equity in my Home in this Chapter 13 proceeding.

I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 9/11/23

By: /s/ ALLEN GORGON  
Allen Gorgon, Debtor